

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

On November 12, 2010, Defendants filed the Declaration of Andrew Hinz in Opposition to Motion for Order to Compel Defendants and Defendant Burns to Produce and Provide Discovery. Although the Defendants failed to obtain leave of court to file this post-reply declaration¹ the court is inclined to consider the declaration in connection with Plaintiff's motion. Therefore,

IT IS HEREBY ORDERED that Plaintiff shall file a response to the Hinz Declaration no later than November 18, 2010.

IT IS FURTHER ORDERED that the hearing on Plaintiff's motion to compel is
CONTINUED to November 23, 2010.

23 | Dated: 11/12/10

Patricia V. Trumbull
PATRICIA V. TRUMBULL
United States Magistrate Judge

¹ See, CIVIL L.R. 7-3(d) (prohibiting parties from filing such supplementary material without leave of court).

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2 ***Counsel automatically notified of this filing via the court's Electronic Case Filing system.***

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4 copies mailed on 11/12/10 to:

5 Joseph Ciampi
P.O. Box 1681
6 Palo Alto, CA 94302

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/s/ *Donna Kirchner* for
8 OSCAR RIVERA
9 Courtroom Deputy

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